

Prosecuting Bike Fatalities

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Fairfax County cyclists like these in Vienna are vulnerable road users under the law. Bicyclist Matthew Jaeger, 33 of McLean, was killed by a vehicle on Dec. 29, 2021, at the intersection of Ingleside Avenue with Dolley Madison Boulevard.

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Impact of Vehicle-Bicycle Collisions in Fairfax Courts

FABB's discussion with Deputy Commonwealth's Attorney for Community Justice and Policy.

BY MERCIA HOBSON
THE CONNECTION

The Fairfax Alliance for Better Bicycling (FABB) and Pia J. Miller, Deputy Commonwealth's Attorney for Community Justice and Policy in Fairfax County, discussed vehicle-bicycle collisions on Jan. 19. Miller talked about how vehicle-bicycle collisions are handled in the county's criminal justice system.



Pia J. Miller,
Deputy Commonwealth's Attorney for Community Justice and Policy in Fairfax County.

The interview was set up so bicyclists could learn more about the process, including plea bargains, in the aftermath of three bike fatalities in Fairfax County 2021. Before the discussion began, FABB President Bruce Wright said that Miller indicated she could not address specific cases.

Miller began her presentation by offering an overview of Virginia's criminal justice system. The po-

lice investigate. No case exists in the Commonwealth's Attorney's office until a person is arraigned and a decision is made where the trial will occur. It could be in one of the state's two district courts, the Juvenile and Domestic Relations District Court and General District Court, or in Circuit Court.

According to Miller, the prosecutor's first and most significant task after the case is brought to the attention

of the Commonwealth's Attorney's office is to ensure that they will comply with ethical requirements. Prosecutors do not proceed until they demonstrate that they have met the "burden of proof" requirement based on facts, evidence, and possible witnesses.

The preponderance of the existing evidence must be sufficient to initiate and win a criminal prosecution. Miller said, "You are going



PHOTO BY MERCIA HOBSON/CONNECTION NEWSPAPERS

Fairfax County cyclists like these in Vienna are considered "vulnerable road users," which include the operators and passengers of personal vehicles such as bicycles, skateboards, wheelchairs, and pedestrians, as well as animal-drawn vehicles and people riding animals.

to look for your police report. You are going to make sure that you have your necessary witnesses... You need to speak to your witness-

es to make sure that they know when the court date is. Are they available to testify? Do they want to testify?"

The second step for the prosecutor is to figure out what is going on. According to Miller, that is the point she would talk to the defense. This is when a plea bargain would be appropriate. Miller said that she would ask the defense counsel about their client. Whether a prosecution should be pursued or whether a plea bargain should be reached is determined in light of these considerations.

"What can you tell me about any mitigating factors or anything that you are possibly thinking? For me, we talk about whether or not a plea would be appropriate. So, once I have done my diligence as a prosecutor, and I know what evidence I do or will not have, and whether or not I can even meet my burden of proof, that's when I start talking about, we need to either move this case out, or we don't," said Miller.

Fairfax County's Three Fatal Vehicle-Bicycle Collisions in 2021

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NEWS

Brabrand: 'Stay the Course'

We have a right to do things up until that right impinges or infringes on the rights of others.

MERCIA HOBSON
THE CONNECTION

Superintendent Scott Brabrand invited families to a virtual community town hall and question and answer session Monday evening, Jan. 24. Throughout the hour, Brabrand and others discussed the latest pandemic information, the rationale and science behind the division's COVID-19 mitigation strategies, and the lawsuit filed by the Fairfax County school board in collaboration with six other Virginia county school boards in response to the governor's Executive Order on mask opting.

At one point, answering a person's question about FCPS taking away students' rights to opt-out of mask-wearing, Brabrand said that the pandemic had required a collective sacrifice for our community, our country, and our world.

"I'm frustrated too. I want to see the COVID cases go down, but I also believe our responsibility is to all of our students. And



Students, parents, and guardians arrive masked at FCPS' McNair Farm Elementary School.



PHOTOS BY MERCIA HOBSON/
CONNECTION NEWSPAPERS

FCPS family, Aruna and Rushi Patel with their daughter. "We are in favor of masks staying on. We definitely agree as it is for everyone's safety."

we have to do the appropriate balancing of individual rights. Our whole country was formed on this balancing act of individual rights and balancing those with the rights of others. I have a right to do things up until that right impinges or infringes on the rights of others," Brabrand said. He added that FCPS is committed, as they have been since the pandemic began, to moving out and through the pandemic together.

Dr. Michell Boyd, assistant superintendent for special services, FCPS, Dr. Nardus King, interim chief equity officer, FCPS, Benjamin Schwartz, MD, Fairfax County Health Department, and Russell Libby, MD, head of Virginia Pediatric Group, were among the guest speakers.

Brabrand said that as students returned to school on Tuesday for in-person instruction, the division had been successful throughout the pandemic, never having to close a school due to public transmission of COVID within

a building.

"Our COVID transmission rates have been extremely low, less than one-half of 1 percent," Brabrand said. "My message to you remains a simple one. Stay the course. We must stay the course here at FCPS and continue to utilize the safety mitigation strategies around the COVID-19 pandemic that have allowed us to continue to have a school environment that is safe for students and our staff."

According to Brabrand, they, and others — parents, guardians, and students — must think about the needs of everyone as the division moves forward. "That's our hope tonight," said Brabrand. "You will listen with open minds and open hearts, and we'll continue to have a door here for you at FCPS."

Boyd said that despite the high COVID transmission rate in the county and across Virginia, FCPS had zero COVID outbreaks since returning from winter break and only

36 outbreaks with 151 cases in the 2021-22 school year. With over 200,000 students and staff at FCPS, Boyd said that this did not occur in isolation.

"Universal masking is recommended," at times of high levels of community transmission, said Boyd. The CDC recommends universal mask wearing indoors for staff and students ages two and above regardless of one's vaccination status.

"The recommendation from our federal health authorities at the Centers for Disease Control and Prevention is that everyone wears masks at this time," Boyd said. She added that the Northern Virginia health directors recommended that their Virginia superintendents talk about the importance of

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FCPS Takes Legal Action Challenging Gov. Youngkin

County School Board files suit jointly with six other boards.

MERCIA HOBSON
THE CONNECTION

On Monday, Jan. 24, seven school boards, including five in northern Virginia: Fairfax County, Falls Church City, Alexandria City, Arlington County, and Prince William County, as well as the cities of Richmond and Hampton, jointly filed a lawsuit challenging the constitutionality of Gov. Glenn Youngkin's (R) Executive Order that would allow parents to send children to school without wearing masks.

According to the order, "Parents of any child enrolled in a(n) elementary or second-

ary school or a school based early childcare and educational program may elect for their children not to be subject to any mask mandate in effect at the child's school or educational program."

Gov. Youngkin wrote in the order, citing § 1-240.1 of the Code of Virginia, that "a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child."

The online FCPS statement, which was posted on Monday, Jan. 24: "At issue was whether locally-elected school boards have the exclusive authority and responsibility

SEE FCPS, PAGE 8



FCPS regulation requiring universal masking remains in effect in accordance with state law. Students must adhere to the requirements of Regulation 2109.2. Face masks are included in the student dress code and failure to comply remains an SR&R violation.



Superintendent Scott Brabrand is pictured here with two pupils, one of whom is holding a vaccination card. FCPS is working toward a time when they can begin to scale back safety measures, like universal masking, but that time has not yet arrived.

Protecting Student Learning

BY DEL. KENNETH R. "KEN" PLUM



Last week I spoke to the members of the House of Delegates about my concerns of protecting student learning under the new administration in Richmond. The Governor's first Executive Order raised more questions than answers as to the intent of the order. Entitled "Ending the Use of Inherently Divisive Concepts, Including Critical Race Theory, and Restoring Excellence in K-12 Public Education in the Commonwealth," its opening page has little with which I would quarrel: "The foundation of our educational system should be built on teaching our students how to think for themselves."

The following three pages of directives set the administration on an investigation to find Critical Race Theory (CRT) in the curriculum even though it is not taught in the public schools. The 14 directives have the staff looking in every document, every file folder, and seemingly behind every nook and cranny to root out CRT. This wild goose chase called for in Executive Order One to find something that does not exist is akin to the calls for a forensic audit of

all election results to support the Big Lie that fraud and corruption in the last presidential election allowed the election to be stolen.

My red warning light goes off with the Executive Order for in Virginia we have gone down such a path in the past much to the embarrassment of the state in the eyes of the Nation. The Lost Cause was an effort on the part of the Southern states to justify the Civil War, glorify the participants, and claim the high ground for it having been fought. All those Civil War monuments that have been removed in the past couple of years for the false narrative they helped to promote were part of the Lost Cause movement.

Virginia's contribution to the Lost Cause effort to give a different meaning to the causes of the Civil War was the establishment by the General Assembly of a legislative commission to oversee publication of new textbooks on Virginia history and government. The Commission realized many difficulties in trying to have professional historians and teachers cooperate in writing a selective history of the Commonwealth. One legislative member of the Commission explained that "we want to emphasize the

greatness of Virginia and take out any reference to poor people."

One historian wrote that the textbooks "portrayed Virginia's white leaders in unflinching flattery, its enslaved residents as happy and contented beneficiaries of benign masters who civilized and Christianized them, and its Indians as savage barbarians in some contexts or as primitive simpletons in others." (Tarter, *The Grandees of Government*, University of Virginia Press, 2013)

My personal experience with state-written textbooks came in the mid 1960s when as an intern teacher I refused to use the textbook for it left out so much of Virginia history including the slave economy, the resulting Civil War and the Jim Crow era and its consequences. Objections by educators, ridicule in the press, and embarrassment by state officials led to these books being abandoned.

Executive Order One seems obsessed with what it calls "inherently divisive concepts." Considering history that is truthful in our highs and lows can lead to better understandings and a stronger more inclusive state than can efforts to ignore, white-wash or mislead in our history. We do not want politicians writing our textbooks!

SENIOR LIVING

Romance and Intimacy after 60

Reviving and developing romantic relationships in the golden years.

BY MARILYN CAMPBELL
THE CONNECTION

Erika, a 63-year-old practicing attorney who lives in McLean, says that she and her husband of 33 years are living as though they are roommates. "We have separate bedrooms," she said. "We really don't talk except for superficial conversations about politics. I'm lonely so much of the time."

With the goal of restoring the romance and intimacy that they once shared, Erika and her husband have begun couples counseling. From scheduling date nights to overcoming resentments that hamper affection, local therapists say those over 65 can harness their maturity and life experience to revive or create healthy relationships.

"Although challenges exist, so does your interest in romance and intimacy," said Brandon Keene-Orton, Assistant Professor of Counseling at Marymount University. "Don't let existing stigmas harm your sexuality."

Some older couples no longer have parental responsibilities like driving carpools and coaching little league games, which creates space for satisfying romantic relationships.

"With the worries from raising young children behind them, increased free time, new and old love relationships can be life enriching," said Linda McKenna Gulyn, Ph.D., Professor of Psychology at Marymount University and the creator of a "Sexuality in Older Adulthood" in her Adulthood and

may include sexual intimacy, are vital for a long and healthy life."

Some seniors lack an interest in romantic relationship because of the belief that such connections are not attainable, suggests Alexandria therapist Mark Anderson Ed.D. "As we age our bodies change and our sexual abilities change," he said "Many people find it very difficult to talk openly with their partner about these changes. It makes them feel like they're letting their partner down, like they're broken or useless."

Redefining romance and tailoring it to meet the specific needs of both people in a relationship can ease apprehension and restore a desire to pursue a satisfying relationship.

"The focus of sex tends to shift towards intimacy and deep connection as the focus of fulfillment at this stage of development, which is a welcome shift for many couples," said sex therapist Joanne Bagshaw, Ph.D., who is also a Professor of Psychology at Marymount University.

Broken trust and ineffective communication have the power to destroy intimacy. "Every couple, no matter how compatible, have some issues or areas of conflict," said Anderson. "If the couple isn't able to work through these issues with a therapist or on their own, they can build up hurts and resentments that are hard to let go of. These hurt feelings create a distance between the partners that gradually erodes their sense of connection and intimacy."

Working through a source of contention in a way that makes both people feel heard and understood can reinforce the bonds that hold

together a romantic relationship. "Be candid about your needs. Do not listen to respond, listen to understand," said Keene-Orton. "From there, healthy, honest, and forward conversations can make you and your partner reignite and maintain the flame."

The ability to trust one's a vital part of any romantic relationship, advises Anderson. "If a partner loses the sense that they trust their partner, that they are no longer emotionally and physically safe, it creates a barrier to intimacy," he said. "The loss of trust may come from a major event like infidelity or may build slowly because of a series of small issues where someone feels that their partner doesn't have their back."

"When trust is restored, couples can begin to really talk about what's happening, or not happening, in the bedroom," he continued. "They can open up about their feelings, fears, shame, and confusion. Then, instead of being a source of conflict, it becomes an opportunity for the couple to work together to regain that sense of love."

Rather than thinking of a sudden relationship overhaul, take small steps to create intimacy. "Spend time together to build a connection," said Bethesda therapist Carol Barnaby. "Seniors who have been together for a long time often have to work to maintain their relationship, realizing that the person you are with is probably not the same person as when you began your relationship."

While people change over time, the aspects of the initial attraction might remain the same. "We should also take a look at some of the romantic characteristics that you've enjoyed in the past and now miss," said Anderson. "Try to recreate those."

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Northern Virginia Faces Loss of Legislative Experience

Redistricting Creates Opportunities and Forces Change.

BY SUSAN LAUME
THE CONNECTION

Redistricting maps, used for voting for Virginia's Senate and House seats, were finalized by the Virginia Supreme Court on Dec. 28, approving the map plan developed by Special Masters appointed by the court.

The effort followed analysis of 2020 U.S. Census data which documented population shifts, making it necessary to adjust districts to maintain roughly the same population sizes in each, in keeping with the one person - one vote concept. Virginia's redistricting commission, in its first year, was not able to come to agreement, moving the process to the State's Supreme Court.

Virginia's Constitution allows, but doesn't require, consideration of the addresses of incumbent legislators, who must live within the district they represent. They were not considered in the maps approved by the Supreme Court in December. As a result, several new Districts created have two or more incumbents.

State-wide, seven Senate districts and 19 House districts have more than one current legislator living in them. Eleven Senate districts and 23 House districts have no incumbents, While this provides opportunities for new candidates with new outlooks, it also means the loss of many experienced legislators.

In the northern Virginia area, the two Senate Districts which have pairs of incumbents include the two most senior Senators in the General Assembly, Richard Saslaw (1980) paired with Dave Marsden, and Janet Howell (1992) paired with Jennifer Boysko.

In the House there are four northern Virginia pairings, impacting incumbents, Kathleen Murphy and Rip Sullivan; Dave Bulova and Dan Helmer, Kaye Kory and Marcus Simon; and Eileen Filler-Corn and Kathy Tran.

Each these House incumbents received significant majorities in their last election, held November 2021, capturing from 53 to 72 percent of the vote. Two area Senate districts and three House districts have no incumbents.

Current incumbents continue to represent their prior constituencies until the next election. The date of that election is unclear, awaiting determination of a lawsuit in the federal appeals court, which could require House incumbents to run again in 2022 within the newly mapped territories.

Virginia's principles of redistricting

Voting districts have been a contentious area in U.S. politics. The U.S. Constitution does not address state legislative redistricting creating an area of polit-

PHOTOS BY SUSAN LAUME/THE CONNECTION



Senator Richard Saslaw (D-35th), the most senior VA senator, and former House Speaker, Delegate Eileen Filler-Corn (D-41st) both face potential primary campaigns with other incumbents after redistricting paired them with other incumbents (Shown at 2020 public hearing)



Senator Janet Howell, second most senior senator, and member of the powerful Finance and Appropriations, Privileges and Elections, and Rules Committees, is another area senator paired with another incumbent in the new redistricting map . Shown at 2019 campaign event)

ical maneuvering. Supreme Court rulings have helped to set precedent, including that "the Equal Protection Clause demands no less than substantially equal state legislative representation for all citizens, of all places as well as of all races." The Voting Rights Act of 1965 mandates that electoral district lines cannot be drawn in such a manner as to "improperly dilute minorities' voting power." In a 2019 case, the Supreme Court held that the Republican led House of Delegates did not have the legal right to challenge a lower court opinion that struck several district maps in the Commonwealth they had drawn, as an unconstitutional racial gerrymander.

The Virginia Constitution outlines four principles in its redistricting criteria:

1. Population equity - "Every electoral district shall be composed of contiguous and compact territory ..." Va. Const. Art. II, § 6. Every electoral district shall be drawn in accordance with the requirements of federal and state laws that address racial and ethnic fairness, including the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States

2. Voting Rights and political participation - provisions of the Voting Rights Act of 1965, as amended, and judicial decisions interpreting such laws. Districts shall provide, where practicable, opportunities for racial and ethnic communities to elect candidates of their choice." Va. Const. Art. II, § 6.

3. Communities of interest - "Districts shall be drawn to preserve communities of interest." Va. Code § 24.2-304.04(5).2

4. Political neutrality - "A map of districts shall not, when considered on a statewide basis, unduly favor or disfavor any political party." Va. Code § 24.2-304.04(8).

5. The Commission may review political data to ensure compliance with this political neutrality provision and may consider incumbent addresses as part of the drafting process.

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Republicans are hoping to spend \$150 million to create 20 new charter schools, but they'll be facing opposition in the Senate Education Committee, which has nine Democrats and only six Republicans.

One issue where Democrats and Republicans might find common ground is banning political contributions from public utilities.

Era of Divided Government

Mask mandates, anti-racist curriculum and campaign finance on the agenda.

BY MICHAEL LEE POPE
THE CONNECTION

Virginia is under new management, and it's a sharp turn from how things have worked in the commonwealth for the last two years. Republicans are now in control of the Executive Mansion and the House of Delegates. But Democrats still control the state Senate, ushering in a new era of divided government. The 2022 General Assembly session has just started, and already Democrats and Republicans are fighting over everything from mask mandates and anti-racist curriculum to marijuana legalization and voting rights.

"It's quite dysfunctional from a policymaking standpoint," said Jennifer Victor, associate professor of political science at George Mason University's Schar School Policy and Government. "It's a very antagonistic form of politicking that is unfortunately quite common across state legislatures, and it's one of the unfortunate consequences in the partisan and polarized era that we're living through."

On the campaign trail, Republican candidate Glenn Youngkin often talked about what he called his "day-one agenda," things like banning critical race theory from schools and getting rid of mask mandates. Shortly after his inauguration as governor, he signed executive orders to deliver on both of those campaign promises although the details of how that might actually work remain unclear. Critical



Gov. Glenn Youngkin began his day one agenda by issuing executive orders to ban critical race theory from public schools and allow parents to decide whether their children wear masks in schools.

race theory isn't actually taught in Virginia schools, and many local school board members reject the idea that a governor can dictate covid protocol to school divisions.

"Alexandria City Public Schools (ACPS) will continue to abide by the health and safety guidelines of the Centers for Disease Control (CDC) and the Alexandria Health Department (AHD) and continue to require all individuals to wear masks that cover the nose and mouth in ACPS schools, facilities and buses," wrote Superintendent Gregory Hutchings in an email to parents last weekend.

EDUCATION IS AT the top of the agenda for the new administration, although the new governor will likely hit a roadblock when

his initiatives face the cold hard reality of the Senate committee system. During a speech to a joint assembly earlier this week, Youngkin announced he wanted to spend \$150 million to create 20 new charter schools. But the Senate Education Committee has nine Democrats and only six Republicans. So getting a bill expanding charter schools to the Senate floor would require two Democrats on the committee to cross over and vote with the Republicans, which seems unlikely.

"If you look at some of the charter schools, you're going to find that some of them are mostly students who are African American," said Sen. Louise Lucas (D-18), chairwoman of the Senate Education Committee. "I don't like sepa-

rating students. I think there ought to be a blend, and I think students ought to be able to have interaction among students other than students who look just like them."

Although critical race theory is not taught in Virginia schools, Republicans have been critical of the anti-racist teacher training that emerged after the murder of George Floyd in May 2020. During his speech to the joint assembly this week, Youngkin said his executive order was intended to prohibit what he called "inherently divisive concepts in schools, including critical race theory." Members of the Legislative Black Caucus say they're skeptical that the new governor is interested in making sure students understand some of the more unsavory chapters of race relations in Virginia history.

"If you don't want the truth taught, just say that's what you don't want," said Sen. Mamie Locke (D-2). "If you are going to stand there and say you want to teach the good, the bad and the ugly of Virginia history and then sign an executive order saying we are going to ban critical race theory, you're being a hypocrite."

CAMPAIGN FINANCE REFORM may be one issue where members of opposing parties can come to some kind of agreement. For example, Democrats and Republicans joined forces to reject a bill that would have put limits on campaign contributions. Currently, Virginia has no limits on the amount of money that donors can contrib-

ute. Some senators were interested in setting some kind of limit, and two separate bills would have set a ceiling of \$20,000 or \$25,000. A bipartisan coalition emerged to kill that idea.

"Contributions are speech," said Sen. Jill Vogel (R-27). "When you set up artificial barriers to speech people find ways around it."

Virginia and 10 other states had no limits on contributions from individuals in state races in 2019, according to the National Conference of State Legislatures.

On the campaign trail, Youngkin said he would disrupt entrenched interests in Richmond. He might have an opportunity to do that if lawmakers are able to put together a bipartisan coalition to prohibit campaign contributions from public utilities. Sen. Chap Petersen (D-34) is working with Del. Lee Ware (R-65) to ban campaign cash from public utilities, including Dominion Energy, which has long been a major force in Virginia politics and a generous donor. Petersen and Ware say it's a bad idea to have a utility that is regulated by the state to have so much influence over lawmakers.

"I can get a portion of my caucus. I can't get them all. I certainly can't get the ones who are more senior in leadership," said Petersen. "But I need -- we need, the commonwealth needs -- the new governor to take a firm stand on this issue and my hope is that will change the dynamic."

A spokeswoman for the governor said Youngkin will review all legislation that comes to his desk.

REAL ESTATE

McLean & Great Falls 2021 Market Analysis of Home Sales (Based on List Price):

2021 Sales Compared to 2020 and 2011						
2021 Total Sales: 1,493						
Zip Code	>\$3 Mil	\$2-3 Mil	\$1.25-2 Mil	\$1-\$1.25 Mil	\$750k-\$1 Mil	<\$750k
22101	58	96	186	102	138	38
22102	26	43	77	42	40	298
22066	18	56	144	51	66	14
Total:	102	195	407	195	244	350
Combined Total Upper Brackets: 702			Combined Total Lower Brackets: 789			
2020 Total Sales: 1,281						
Zip Code	>\$3 Mil	\$2-3 Mil	\$1.25-2 Mil	\$1-\$1.25 Mil	\$750k-\$1 Mil	<\$750k
22101	27	64	183	80	151	17
22102	10	24	76	35	42	229
22066	9	31	114	72	87	30
Total:	46	119	373	187	280	276
Combined Total Upper Brackets: 538			Combined Total Lower Brackets: 743			
2011 Total Sales: 876						
Zip Code	>\$3 Mil	\$2-3 Mil	\$1.25-2 Mil	\$1-\$1.25 Mil	\$750k-\$1 Mil	<\$750k
22101	6	13	64	49	110	144
22102	10	13	36	14	46	177
22066	3	8	62	28	52	41
Total:	19	34	162	91	208	362
Combined Total Upper Brackets: 215			Combined Total Lower Brackets: 661			

2021 – Best Year Ever for McLean and Great Falls Real Estate

2021 Compared to 2020 and 2011.

BY LIZZY CONROY

2021 was a phenomenal year for the McLean and Great Falls residential real estate market. The number of sales in 2021 was up 16.5% over 2020 transaction levels and were driven by historically low interest rates, a strong labor market, changing housing preferences, demographic trends, and a continued bull stock market. The most pronounced growth took place in the upper bracket segment of the market with a staggering 30% jump in the number of sales from 2020 to 2021. The lower bracket segment grew by 6.2% which was primarily driven by a turn around in the condo purchase market in and around Tysons.

Covid jumpstarted the market in Spring 2020 and continued to impact housing preferences throughout 2021. Telework has become a permanent reality for many, providing the flexibility to live anywhere, and many buyers have prioritized more living space, both inside and out. Additionally, because of continued supply chain woes, most buyers want move-in ready properties and will pay a premium for new or fully renovated homes. This is evidenced by the \$2.0-\$3.0m and \$3.0m+ price segments which saw a significant 122% and 64% increase in year-over-year sales respectively.

These numbers are in stark contrast to the more subdued growth in lower bracket segments. A large segment of the sub-\$1.25 million market is in-fill lot sales and condo sales. As Covid fears surged, the condo market waned in 2020 and steadily recovered in 2021. Excluding Great Falls where there are no multi-family properties, more than half of the lower bracket sales in McLean were condos in 2021. In-fill buildable lots are increasingly hard to come by these days, causing upward price pressure for the new build market. Five years ago, a 1/3-acre lot, on average, sold for \$750,000 - \$800,000. Today, depend-

ing on location, we are seeing 1/3-acre lots command \$1,000,000 - \$1,300,000.

Demographic trends also drove housing demand in 2021 and will continue to do so in 2022. Millennials, the largest segment of the US population, accounted for over half of new home purchase mortgage loan applications in 2021. Gen Xers are combining into multi-generational households and are finding they need more space, while many baby boomers are choosing to age in place or purchase a second home.

Also noteworthy, Washington DC lost 2.9% of its population in 2021, which could mean that close-in suburbs like McLean and Great Falls absorbed some of these households. Couple these trends with the lack of housing inventory and the result is record setting prices in this market area.

The good news is that while these demographic trends will continue, experts predict that home prices will appreciate at a slower pace in 2022.

The question on everyone's mind is what will happen to mortgage interest rates in 2022. The 30-year fixed conventional rate has hovered around 3%. In response to inflation, the Fed has indicated tightening monetary policy which can include multiple rate hikes in 2022. In turn, most experts predict a rise in mortgage rates to 3.5% - 4.0% by the end of 2022. While a rise in rates may impact the rate of price appreciation in 2022, the good news is that even at 4% rates are still historically low. 10 years ago the average 30-year fixed rate was 4.45%. Also, unlike the 2008 financial crisis, today's lending guidelines are more rigorous and borrowers who qualify for financing have sound credit scores and financial profiles. This phenomenon provides stability and certainty in the lending market.

The McLean/Great Falls real estate market has done a complete 180 in the last 10 years. Sales are up 70% in 2021 vs. 2011. In 2011 the upper bracket market accounted for 25% of the market. Today it is nearly 50% of the market. People wonder whether these market dynamics are sustainable. Case-Shiller recently reported that the longest extended period of price appreciation in the US real estate market occurred

SEE REAL ESTATE, PAGE 9

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The pandemic has been a bear, financially and otherwise. Revenue plummeted at the beginning in 2020. Some beloved advertisers have stayed the course supporting us throughout, and many more have done what they can. In the fall of 2021 we saw the return of some advertising for events and Grand Openings, but now omicron clouds the horizon in so many ways. Revenue still remains short of expenses despite our greatly curtailed costs.

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FCPS Takes Legal Action Challenging Gov. Youngkin's Ex. Order No. 2

FROM PAGE 3

conferred upon them by Article VIII, § 7 of the Constitution of Virginia over supervision of the public schools in their respective communities, or whether an executive order can unilaterally override that constitutional authority," the statement read. Also at issue is whether a governor, through executive order, could rescind a lawfully adopted statute, Senate Bill 1303, without the Virginia General Assembly's legislative action.

Former Virginia Gov. Ralph Northam (D) signed Senate Bill 1303, on March 30, 2021, and as approved, it expires on August 1, 2022. The approved bill requires that each school board offer in-person instruction to students five days a week. "Each school board shall also provide that in-person instruction" in a manner in which it adheres, to the maximum extent practicable, to any currently applicable mitigation strategies for early childhood care and education programs and elementary and secondary schools to reduce the transmission of COVID-19 that have been provided by the federal Centers for Disease Control and Prevention."

Monday, Jan. 24, marked the first day that

Gov. Glenn Youngkin's Executive Order went into effect, but students were not in schools because of a professional development day in FCPS.

The moment had not come for schools to eliminate universal mask wearing, a critical component of layered health and safety mitigation strategies, school districts assert.

The Virginia Health Department stated on Monday, Jan. 24, that COVID-19 transmission rates remained high. Hospitals around the state had a reported seven-day case average of 3,804 patients. Two weeks earlier, on Monday, Jan. 10, and five days before Youngkin signed Executive Order Number Two, Gov. Ralph Northam had issued a limited state of emergency for hospitals already overburdened by historic coronavirus case-load increases. Hospitals had entered crisis level, and the CDC continued its recommendation to retain universal mask-wearing as part of layered health and safety mitigation strategies.

"School divisions need to continue to preserve their authority to protect and serve all our students, including our most vulnerable, who need these mitigation measures, perhaps more than anyone, to be able to con-



The Kaetzels: Connor (17), Sydney (15), and Logan (12), masked and ready for school. Connor and Sydney attend Yorktown High School, and Logan attends Williamsburg Middle School in Arlington. All nod affirmatively to the question of whether they expect some kids to arrive at school on Monday without masks.

tinue to access in-person instruction," stated the FCPS Jan. 24 announcement.

School boards had been placed in a "legally untenable position" and were confronted with an executive order that conflicted with the constitution and state law.

Arlington Public Schools (APS) became the first district to announce they would continue to require all staff and students to wear masks inside on school grounds and

PHOTOS BY SHIRLEY RUHE/THE CONNECTION



The first day of the Governor's order relaxing the school mask mandate is over but these Williamsburg Middle School students are walking home after school still wearing their masks.

buses as part of their layered approach to safety. In its online posting announcement, APS noted, "The federal requirement from Feb. 2, 2021, is still in place on all forms of public transportation. Anyone riding a school bus is therefore required to wear a mask when riding on our school buses to prevent the spread of COVID-19."

Brabrand: 'Stay the Course'

FROM PAGE 3

universal masking during high transmission. The Virginia Chapter of the American Academy of Pediatrics continues to strongly recommend that children wear masks in school when infection is high.

Boyd acknowledged that, at times, students wear their masks incorrectly and have to be reminded to pull them up. "But by and large, we want to celebrate that FCPS students have stepped up and have answered the call to keep themselves safe, to keep their friends safe, and to keep their community safe," she said.

Concerning the problems associated with student face mask compliance, FCPS will continue to handle them in a tiered fashion, "in a caring manner and in our caring culture," according to Boyd. She defined her efforts as being directed toward informing and educating rather than engaging in confrontation.

Students would first be redirected to wear their masks and may be redirected as staff worked with them. If there were still compliance challenges, staff would solicit the support of student service personnel, followed by engaging in conversation with parents and guardians.

"If FCPS exhausted this tiered approach to redirecting and supporting students ... students who would not comply would be excluded from in-person instruction," said Boyd. Such does not include students with religious or medical exemptions,

Face masks are included in the student

dress code and failure to comply remains an SR&R violation. According to FCPS, "Intentional removal of or refusal to wear a face covering during the times face coverings are required by all students will be treated as a violation of Regulation 2613."

Brabrand shared his concerns around the governor's Executive Order Number Two, stressing that Senate Bill 1303 says they should be providing in-person instruction following CDC guidelines." In the end, we will respect the legal process, and we are confident that we have a strong legal case. ... Now at the height of the number of cases per 100,000, the largest ever seen in FCPS," the best course is staying the course, requiring masks.

Brabrand assured the community FCPS would work with them and produce a roadmap toward more flexible mitigation strategies, including those for more flexible mask-wearing as transmission eases.

Q&A

Three thousand eight hundred people were online for the town hall during the Q and A. (Content slightly edited for clarity and length.)

Q: Has the school district attempted to limit harassment to students, parents, and staff concerning mask use?

A: Brabrand: We continue to work with our principals, Office of School Safety and Security. We have a strong relationship with our Fairfax County Police Department, and we have an SRO (school resource officer) in

all our middle and high schools.

Q: Clarification on the type of masks is requested.

A1: Schwartz: The CDC document talks about the importance of a mask fitting well, having multiple layers, and a mask that a child will wear effectively and consistently. While KN95s and N95s have a higher filtering ability, if they don't fit or if children don't wear them consistently, they will not be effective. (The) CDC wasn't recommending that children do not wear cloth masks, but rather that they wear the best mask with the best filtering capacity that they can wear consistently, effectively, and without any gaps around the sides.

A2: Russell Libby, MD: But with kids, they scream, they yell, they laugh, they talk, they sing, they do all the things that will generate the flow of potentially infected or virus-carrying particles in their breath that will be there for others to catch. And wearing that mask is most prominently intended to help reduce the spread from someone who's asymptomatic or mildly symptomatic but carrying that virus. It might then infect someone else who would go home and infect their family, grandparents or others.

(Kids) carry a significant burden that we impose upon them by questioning and trying to undermine the real public health that all of us are here to advocate. They think they bought something home to their families that infected someone that killed someone. The potential for harm is so much greater

than the potential for good.

Q: You are taking our kids' right to choose, and I don't feel that is right.

A: Brabrand: I think part of the pandemic is particularly hard for people balancing individual rights for how I want my child to go to school, with those rights' impact on the rights of other children, who also have a right to go to school and to go to school in a safe environment.

Brabrand ended the town hall saying that the pandemic caused more fatalities and casualties, than the number experienced during World War Two in wartime casualties. (World War II, 405,399 U.S. deaths. COVID-19 pandemic, U.S. Deaths are more than 850,000)

"If this were a war, this is one of the most significant attacks on our country that we've ever endured. And so, we are facing that challenge between life and liberty that is fundamentally rooted in our own origin story as a country. I'm confident that we can continue to stay together, to work together, and to communicate the very latest in science and how to get us through this pandemic," Brabrand said.

"I'm just going to commit to you as I continue to finish my final year as superintendent and in my final year over a span of 30 years in Fairfax County, to work with all of you, to listen whether you agree with me or not, that I'm coming to you with a humble heart, with a servant's heart to support your kids, (and) to support our staff that supports your kids," Brabrand added.

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ARTS

Contemporary Chamber Opera Takes Center for the Arts

“Three Decembers” from Virginia Opera delves into a family trying to cope and reconcile.

BY DAVID SIEGEL
THE CONNECTION

Virginia Opera offers audiences a modern family drama exploring often unseen sides of contemporary family life. “Three Decembers,” is an intimate, chamber opera based upon an unpublished play by multi-Tony Award recipient Terrance McNally. His librettos for “Kiss of the Spider Woman” and “Ragtime” won Tony Awards.

“Three Decembers’ is proof that opera is not all about powdered wigs and ball gowns. Opera, at its core, tells a story, and this story is both modern and relevant.” said Peggy Kriha Dye, General Director/CEO, Virginia Opera.

“Three Decembers” centers on annual Christmas letters written over three decades by a Broadway diva to her two children. It is a family estranged from each other; yet trying to find an ounce of acceptance, perhaps reconciliation. The opera takes on issues including AIDS, addiction, and interpersonal dishonesty as the family struggles with their relationship. The time settings are December 1986 (Ronald Reagan was President), December 1996 (Bill Clinton was President) and December 2006 (George H. Bush was President). With music that moves from sweet ballads to stormy, the score is rich with emotions and bold directness as composed by Jake Heggie. Libretto is by Gene Scheer.

“Adding this work to our repertoire continues a longstanding tradition of bringing our audiences a variety of fresh and compelling operatic experiences” said Adam Turner, Artistic Director, Virginia Opera. “Jake Heggie is one of this generation’s leading American composers, with critically-acclaimed works like ‘Dead Man Walking’ and ‘Moby-Dick’ regularly programmed by opera companies all over the world.”

“Having the opportunity to introduce our audiences to the musically rich and dramatically compelling world of Jake Heggie’s voice is something I’ve been looking forward to for many seasons.” noted Turner.

The production stars Tony Award winner (“Con-



Cecilia Violetta Lopez



Efrain Solis

PHOTOS COURTESY VIRGINIA OPERA



Karen Ziemba

Where and When

Virginia Opera presents “Three Decembers,” at Center for the Arts, George Mason University, 4400 University Drive, Fairfax, VA 22030. Performances: Saturday, Feb 5, 2022, at 8 p. m. and Sun, Feb 6, 2022, at 2 p.m. Tickets: \$110, \$70, and \$40. Call 703-993-2787 or visit www.cfa.gmu.edu. Notes: Sung in English with English Surtitles.

There will be a pre-performance discussion. Patrons required to provide proof of vaccination or a negative COVID PCR test taken no more than 72 hours before the performance or negative Rapid Antigen test within 48 hours. Patrons will be asked to show proof of vaccination, or the negative test, with a photo ID prior to entering the theater. Masks will be required while in the theater. For more information visit www.cfa.gmu.edu/plan-your-visit/what-expect.

tact”) mezzo-soprano Karen Ziemba as the challenging mother Madeline. Her children are Charlie (baritone Efrain Solis) and Beatrice (soprano Cecilia Violetta López).

In a conversation, Ziemba described her character Madeline as “a good person, but a person with flaws.” She is a “Broadway diva who is away from her children many a December ... always working.” Keeping in touch with her children through letters is not easy and it brings distance and resentments. As the opera progresses through its 90 minutes, unexpected dark family secrets are exposed to the harsh light of day.

A most intriguing family saga awaits as Virginia Opera’s “Three Decembers,” takes the Center for the Arts stage.

Best Year Ever for McLean and Great Falls Real Estate

FROM PAGE 7

from March 1997 to November 2006 which is 9 years and 8 months. The current expansion started in July 2012 and has not stopped since. This means we are still shy of the longest expansion and there is still room to grow.

If you are thinking of selling, now is the best time to prepare your home for the market to take advantage of low inventory and continued high demand. Homes priced correctly for the market

and in good condition have the best chance of commanding top dollar. If you are considering buying, consult with an experienced agent on how to navigate the 2022 market. There will be many great opportunities. Ultimately, time is of the essence.

Karen Briscoe, Lizzy Conroy, and Jenny McClintock with HBC Group at Keller Williams are active and experienced Realtors in the Northern Virginia marketplace. www.HBCGroupKW.com, 703-734-0192, Homes@HBCGroupKW.com.

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NEWS

Impact of Vehicle-Bicycle Collisions

FROM PAGE 2

Matthew Jaeger, 33 of McLean, was killed on Dec. 29, 2021, after entering the intersection of Ingle-side Avenue with Dolley Madison Boulevard. He was struck in the road by a driver traveling in the south-bound lane.

Fatima Del Carmen Alvarez Romero, 24, of Alexan-dria, was killed after a June 3 crash. Riding her bi-cycle, Alvarez Romero entered the crosswalk to cross Telegraph Road on the south side of the Franconia Road intersection.

She proceeded east through the intersection in front of a 2020 GMC Savanna, traveling north on Telegraph Road and having a green traffic signal. It resulted in the crash.

Ray Buza, 64, of Chantilly, was killed May 21 after riding east on Hidden Canyon Road. A car turned left in front of him at Blueridge View Drive, resulting in the crash. The motorist was charged with a "failure to yield" traffic infraction and a \$167 fine.

A question and answer period followed. Statements are lightly edited for clarity.

Q: Where does a cyclist start if there is a collision?

A: Call the police.

Q: Are you familiar with the Virginia vulnerable road user law, (an Act to amend and reenact §46.2-841 of the Code of Virginia and to amend the Code of Virginia by adding a section num-bered 46.2-816.1, relating to bicyclists and other vulnerable road users; penalty. [S 437] Approved

April 22, 2020)? It hasn't held up in the first few cases that used it. Do you know why and what is needed to strengthen it?

A: I'm familiar with the law. I don't know why it's not more used or more successful. That is not a ques-tion that I can answer.

Q: With the Virginia Vulnerable Road User Law and other laws like hit and run, how do you factor in for pleas and seek deterrence if the pur-pose of the vulnerable road user law is to send a message about the need to respect the rights of vulnerable road users?

A: The things that we are supposed to be consider-ing are what is the defendant's criminal history; what were the circumstances around the incidences; do we have people who are willing to testify or not? There are a lot of little things ... Whether or not we're trying to set an overall example by deterrence is not neces-sarily at the forefront because we don't want to start doing it if somebody is truly a first-time offender. For somebody who has a perfect driving history, our office policy is such that we're not trying to use that person as an example. That makes sense.

Q: What about hit and run? Is there some incentive to prosecute those cases to the fullest, to send a message that you stay when you get involved in a collision?

A: The difficulty with hit and run is that normal-ly there is a parallel civil case. Insurance companies don't wait. Once the victim is made whole on the

SEE IMPACT OF, PAGE 11



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The Brown v. Board of Education Scholarship Program was established by the Virginia General Assembly in 2004 to provide educational opportunities for persons who were denied an education in Virginia between 1954 and 1964 due to the closing of the public schools during Massive Resistance. The program is now open to eligible applicants for the 2022-2023 school year. For applications and information on eligibility, visit:

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or contact Lily Jones, Division of Legislative Services, at (804) 698-1888.

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Senior Living, fourth week of every month.

Questions?

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CALENDAR

NOW THRU JAN. 30

Paint & Pen. 9 a.m. to 8 p.m. At Jo Ann Gallery Reston Community Center, Lake Anne, 1609 Washington Plaza N, Reston. Two Artists, One Show with paintings by Angie Magruder and drawings by Bob Biedrzycki. Visit the website: www.restoncommunitycenter.com

NOW THRU FEB. 1

Mah Jongg Lessons. 6:30-9:30 p.m. At Temple Rodef Shalom, 2100 Westmoreland Street, Falls Church. Mah Jongg beginner class, Jan. 18, 25 and Feb. 1 6:30-9:30 p.m. \$90. Send non-refundable check to WoTRS, Attention Iva Gresko, Temple Rodef Shalom, 2100 Westmoreland St, Falls Church, VA 22023. Include email address, home address, and telephone numbers. Check is your registration. Enrollment limited. Masks required.

NOW THRU FEB. 6

"The Dinner Party." Presented by Vienna Theatre Company. At Vienna Community Center, 120 Cherry St., SE, Vienna. Performance Dates and Times: 8 p.m.: Fridays and Saturdays: January 28, 29; Feb 4, 5; 2 p.m.: Sundays: Jan 30, Feb 6. In Neil Simon's farcical take on love, marriage, divorce, and what comes after, six strangers are invited to a mysterious dinner party. They do not know who the other guests will be or why they have been invited. Tossed together in a private dining room, they have a sneaking suspicion that this unorthodox dinner party will forever change their lives. Visit www.viennatheatrecompany.org for more details or email vtcshows@yahoo.com.

NOW THRU FEB. 12

Traveling While Black: Virtual Reality Experience. At McLean Community Center, 1234 Ingleside Ave., McLean. In "Traveling While Black VR," the immersion of 360° footage draws viewers into living history lessons told around a booth in Ben's Chili Bowl. The Washington, D.C. restaurant has been a mainstay of the African American community since 1958, bearing witness to significant Civil Rights milestones that are woven into the film in powerful snippets of footage. The Traveling While Black VR experience/film was directed by Academy Award-winning director Roger Ross Williams.

NOW THRU FEB. 13

"Every Brilliant Thing." At NextStop Theatre, 269 Sunset Park Drive, Herndon. Guided by an unnamed narrator, the audience is drawn into the story of a young boy who tries to

cure his mother's depression by creating a list of all the most wonderful things in the world. Visit www.NextStopTheatre.org.

NOW THRU FEB. 19

New Art Exhibits. At McLean Project for the Arts, 1234 Ingleside Ave., McLean. Give and Take: Building Form (Emerson Gallery) will feature abstract wood sculpture by Emilie Benes Brzezinski, Rachel Rotenberg, Foon Sham, and Norma Schwartz, while the Atrium Gallery will feature Intersectional Painting: Works by Sheila Crider. Both exhibitions run through Feb. 19, 2022. Visit www.mpaart.org/ or call 703-790-1953 for gallery hours.

NOW THRU FEB. 27

"Winter Winds" Art Show. 12-5 p.m. At Reston Art Gallery and Studios, 11400 Washington Plaza W. at Lake Anne, Reston. See the season's sentiments depicted in oil, acrylic, and watercolor paintings, mixed media collage, metal mobiles, and more, created by the eight artists of RAGS. Open weekends, 12-5 pm, through February 27, located at the "ART" sign on Lake Anne Plaza. Visit the website: www.restonartgallery.com.

FRIDAY/JAN. 28

Old Firehouse Center 5th & 6th Grader Party A Snowy Shindig. 7-9:30 p.m. At Old Firehouse, Mclean. Old Firehouse 5th and 6th Grader Parties are themed and decorated accordingly. Free catered food and beverages will be distributed to participants. Parties feature a DJ, an open dance floor and a variety of activities. Pre Registration is recommended. Visit www.mcleancenter.org or call 703-790-0123, TTY: 711.

SUNDAY/FEB. 6

Traditional Celtic Music. 4:30 and 6:30 p.m. At the Old Brogue Irish Pub, 760-C Walker Road, Great Falls. Beth Patterson and champion Scottish fiddler and singer Seán Heely; an unexpected pairing of two major talents. Expect amazing instrumentals on fiddle, Celtic bouzouki, harp, electric bass, with stunning vocals. Visit www.oldbrogue.com or call the Old Brogue at 703-759-3309.

THURSDAY/FEB. 17

Mardi Gras Celebration. 12-2 p.m. At the Vienna Community Center, 120 Cherry Street SE, Vienna. Cajun cuisine lunch, Mardi Gras mask making, trivia and entertainment. Dressing up is part of the celebration so be sure to wear purple, green and gold. To register, call 703-281-0538.

Impact of Vehicle-Bicycle Collisions

FROM PAGE 10

civil side, the criminal side dries up, and that's not on us. The defense counsel and the police have resolved it. So, it's not as though we're shying away from making an example out of everyone. But that's also not the point of what our office does as it relates to prosecution.

Q: Are written transcripts available on how things play out in court or plea deals?

A: Most of the time in district court, you will not have a court reporter because it's not a court of record; Circuit Court is a court of record.

Q: Are hearings open to the public?

A: As long as they are adults, yes.

Q: Do you have any advice for us as advocates to ensure that cyclists are safe and drivers more responsible for their actions that harm cyclists?

A: While I hate to put the onus on the bicyclists, anything you can do to help yourself is the best you can get at this point. GoPros are easy to obtain. Call the police; make sure they take the information from you because if you haven't given it to the police, then we have evidentiary chain of custody issues that we might have to deal with as the prosecutors. So, give it to them. Keep your copy; provide them with a copy.

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Not Bad, Considering



By KENNETH B. LOURIE

By the time this column prints, a month or so after I wrote it, I will be approximately one month into my three-month warranty extension. That meaning, as I'm regularly able to joke - THANK GOD!, that my end of December quarterly scans indicated tumor and bone weakness as stable. Not that I have a clue how quickly my fortunes could change but, I figure I have at least until my next quarterly scans in March before there might be a metaphorical fan involved. Since my oncologist is not in the predicting business nor inclined to discuss scenarios either, my life as a stage IV papillary thyroid cancer patient will continue to be one gigantic/on-going wait and see.

Which for the past nearly 13 years - from my initial late Feb., '09 diagnosis to the present has been my m.o. And quite thankfully/amazingly, my 'operandi' continues. And since I'm not, as it concerns my cancer diagnosis/evolution from non-small cell lung cancer to papillary thyroid cancer, a particularly deep thinker, or even much of a researcher into similar case studies, I sort of roll merrily/naively along. Though I wouldn't quite characterize my 'roll' as care-free and unencumbered; nonetheless, I am rarely bogged down or depressed by most of it.

As for the least of it, as a cancer patient I am part of unfortunately a much larger group of similarly disease-impacted people. We all share a mostly unspoken bond and I'd like to think, there is strength in our numbers. Whenever I meet/have met a cancer patient, there is, as you might imagine, an immediate connection of shared experiences. Whether the cancer is the curable variety - as generally speaking, papillary thyroid cancer is supposed to be, or the terminal type - like my original stage IV non-small cell lung cancer diagnosis was "prognosed," ("13 months to two years" I was given), once cancer is added to your everyday vocabulary, life takes on a whole new meaning, dare I say, urgency.

As an example: both my parents lived into their mid-80s, and were mostly healthy, no cancer. Given that we're related by birth, I figured I'd have a similar life expectancy. Then a month or so after my widowed mother died in early Dec. '08 at age 86, I experienced a pain in my left rib cage. A few days later the pain had migrated to my right rib cage. By the weekend, I could barely bend over at the waist and had difficulty inhaling. Even I had to admit there was "something rotten in Denmark." Later that New Year's Day, I went to the Emergency Room and the rest as you regular readers know, is cancer. I was age 54 and not quite six months and about to be diagnosed with a "terminal" form of lung cancer. Age 86? I'd be lucky to reach age 56. Based on the prognosis I received from my oncologist in late February, '09, I just lost 30 years of my life.

Yet here I am, almost 13 years later, and still droning on about being an active cancer patient. Too bad for you. Perfect for me, however. Who would have thought? In talking with my oncologist over the years and living and learning - and processing all the information I've been given; I've managed somehow to survive. I know Lou Gehrig was "the luckiest man on the face of the earth," but given my original diagnosis and subsequent prognosis, to still be alive and reasonably well in 2022 is nothing short of a miracle. I've been pretty lucky, too.

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